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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

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JAMES BLACKMORE and KATHRYN  
BLACKMORE,

Plaintiffs,

v.

WORLD SAVINGS BANK, F.S.B., et al.,

Defendants.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

Case No. 2:14-cv-00690-CW-DBP

District Judge Clark Waddoups

Magistrate Judge Dustin B. Pead

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This case was assigned to United States District Court Judge Clark Waddoups, who then referred it to United States Magistrate Dustin B. Pead under 28 U.S.C. § 636(b)(1)(B). Plaintiffs James and Kathryn Blackmore are *pro se* litigants. This case was initially filed in the Fifth Judicial District Court of the State of Utah on August 19, 2014. Defendants subsequently removed the action to federal court on September 23, 2014. Plaintiffs have filed a motion to remand this case to state court. (Dkt. No. 10). Both eTitle Insurance Agency and Wells Fargo and Bank of New York Mellon (“Defendants”) have filed motions to dismiss. (Dkt. Nos. 8, 11).

On February 11, 2015, Judge Pead issued a Report and Recommendation, recommending that plaintiffs’ motion to remand be denied and defendants’ motions to dismiss be granted without prejudice. (Dkt. No. 18). Because Plaintiffs are proceeding *pro se*, Judge Pead found that although Plaintiffs had failed to state a claim, it may be possible for them to state a claim if given an

opportunity to amend the complaint. Plaintiffs filed no objection to the Report and Recommendation.

After having reviewed the file *de novo*, the court hereby APPROVES AND ADOPTS Judge Pead's Report and Recommendation in its entirety. Accordingly, the court DENIES Plaintiffs' Motion to Remand to State Court, (Dkt. No. 10) and GRANTS Defendants' Motions to Dismiss without prejudice, (Dkt. Nos. 8, 11), allowing Plaintiffs leave to amend on or before March 25, 2015 in their discretion.

SO ORDERED this 5<sup>th</sup> day of March, 2015.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "Clark Waddoups", is written over a horizontal line.

Clark Waddoups  
United States District Court Judge